

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, SEPTEMBER 24, 2001**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Bloomfield, Borys, Kreider, Senhauser and Wallace present. Members absent: Dale, Raser, Spraul-Schmidt and Sullebarger.

### **MINUTES**

The minutes of the September 10, 2001, meeting were approved as corrected (motion by Raser second by Borys).

### **CERTIFICATE OF APPROPRIATENESS, 1883 MADISON ROAD, EAST WALNUT HILLS HISTORIC DISTRICT**

Staff member Caroline Kellam distributed elevations and photographs and summarized the staff report on this application to construct a new greenhouse on the foundation of a modern solarium (now removed). Previous applications for Certificates of Appropriateness for this large remodeling project came before the HCB on February 7, April 24, June 19 and August 21, 2000 and March 26, 2001. At the June 19, 2000 meeting, the HCB tabled a proposal to construct a greenhouse with a conical roof (at the same location) as part of an overall redesign of the rear elevation of the house and site. Consideration of that proposal was tabled; when the applicant returned with a revised plan on August 21, 2000, the greenhouse had been deleted. Ms. Kellam said that the present application is to reintroduce a smaller, redesigned greenhouse. Based on its review of the historic district guidelines and the minutes from previous HCB discussions of this ever-evolving project, staff did not recommend approval of this proposal.

Ms. Kellam said that no property owners in the surrounding area attended a September 18, 2001 pre-hearing. Chris Kepes and Rick Koehler, Architects Plus; Tim and Peg Mathile, the owners; and C. Francis Barrett, Esq. were present.

Mr. Barrett described the alterations already made at 1883 Madison and said that the architects understood that the Board objected to the size and conical roof of the greenhouse proposed for the southwest corner of the house in June 2000. He said that the architects redesigned the proposed greenhouse in response to comments made by HCB members at that time. He said that until the September 18, 2001 pre-hearing, the owners and architects were unaware that staff had reservations about the cumulative affect of all the changes made to the building. Until then, the owners and architects had believed they were responding to the HCB and staff recommendations. He said the directly affected neighbors have seen and endorsed the present plans.

Mr. Kepis explained the proposed greenhouse would be an almost transparent structure upon the existing foundation of the old solarium, quite different from the structure presented in June 2000. The current proposal does not include an enlarged foundation and the height has been reduced to stay below the second story. He said he believes it does not detract from the original structure.

Ms. Borys commented that the large glass exposure would be a solar sink for air conditioning and heating. Mr. Kepis said the details such as type of glass have not been determined.

Mr. Senhauser said that the HCB has reviewed several proposals for landscaping as well as architectural alterations, including tree removal and retaining walls, at this site. He said that HCB approvals for work have always been within the context of the overall plan at the time; if, however, the overall plan changes, then the approvals already given may no longer be appropriate. He said that when the HCB approved the family room, it was the only addition being considered for the south elevation of the building.

Mr. Kreider said the architectural merit of this proposal must be considered in the context of what the HCB has already approved. Mr. Bloomfield said the proposed greenhouse changes the nature of the building architecture and fills in a major open space. Mr. Senhauser commented that an addition in any context must be considered for its own architectural merit. He said that the greenhouse design tabled in June 2000 never came back to the Board. Mr. Kreider acknowledged that the architects have responded to HCB comments made at the June 2000 meeting and said this is why the current proposal should be considered on its architectural merit. Ms. Borys said this is an improvement over the original presentation but is still a large intrusion on the south elevation, interrupting the strong vertical line tying the building to the ground. Mr. Koehler said the south elevation is viewed from below from all angles.

#### **BOARD ACTION**

The Board voted (motion by Kreider second by Borys) four in favor, Kreider against to disapprove the proposed greenhouse as inconsistent with the East Walnut Hills conservation guidelines for additions, for the following reasons:

1. The greenhouse does not respond to the architecture of the original building.
2. It is not sympathetic to and compatible with the original building.
3. In combination with the other approved additions, it overpowers the original building.
4. It lacks unity with the language and style of the house.
5. It disrupts the flow and balance of the rear line of the house.

#### **CERTIFICATE OF APPROPRIATENESS AND A CONDITIONAL ACCESSORY USE, LAUREL COURT, 5870 BELMONT AVENUE**

Staff member Caroline Kellam presented a request for a COA and approval of a conditional accessory use for landscaping and the installation of wrought iron fencing and gates at Laurel Court in College Hill. The wrought iron fencing and gates

with limestone piers will replace inappropriate chain link fencing and overgrown bushes that screen the property from the street. Ms. Kellam explained that because the new gates exceed six feet in height, a conditional accessory use approval is required.

Owners Larry and Judy Moyer and landscape architect Grant Fullmer were present. Mr. Bloomfield complimented the owners on the improvements they are making to this historic property.

#### **BOARD ACTION**

The Board voted unanimously (motion by Bloomfield second by Borys) to

1. Approve a Certificate of Appropriateness for the proposed site improvement including the construction of the gates, fencing, retaining walls and the new landscaping.
2. Approve a conditional accessory use to allow the construction of the piers of a gate at a height of 10' as per Section 1413-311 (b) finding that such relief from the literal implication of the Zoning Code:
  - a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
  - b) Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

#### **CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 1000 ELM STREET, COURT STREET HISTORIC DISTRICT, DOWNTOWN DEVELOPMENT DISTRICT**

Staff member Adrienne Cowden summarized the staff report recommending that the HCB approve this request for a COA for a temporary banner. The banner, with the exception of the graphics, is identical to another temporary banner approved by the Board on May 7, 2001 for the restaurant's annual oyster festival. The banner measures 10' x 40' and will be attached to the third story of the building with galvanized steel nuts, bolts and 18" long threaded rods. The rods will protrude approximately 1" to 1½" from the exterior wall when the banner is not in place. The banner will be placed below the cornice and covers five of the eight third story windows. The second and third stories of the building are unoccupied. The banner depicts several dancing crabs and includes the following text: "Washington Platform Saloon & Restaurant Annual Crab Carnival" and "It's Time to Come Out of Your Shell!" The graphics and text are illustrated primarily in blue, orange and white. The event runs for nearly two and one-half weeks, beginning in mid-October and this particular banner will displayed for a 30 day period in 2001, 2002 and 2003.

A pre-hearing meeting was held on Tuesday, September 18, 2001. Jon Diebold, representing the Washington Platform Saloon & Restaurant, was present. No other individuals appeared at the scheduled pre-hearing meeting and staff has received no comments or inquiries about the application.

In answer to Ms. Wallace, Ms. Cowden explained that the banner is not permanent and that the oyster festival and the crab carnival are Washington Platform's only annual events.

**BOARD ACTION**

The Board voted unanimously (motion by Bloomfield second by Kreider) to approve the staff recommendation as follows:

1. Approve a Certificate of Appropriateness for the installation of the banner as illustrated in the attached design and photographs for a period of 30 days beginning on the second week in October for the years 2001 through 2003 provided that the banner not be changed and no other banner be installed during the same time period;
2. Grant a variance from the strict application of the Downtown Development Regulations to permit the installation of the proposed banner as illustrated in the attached design and photographs, finding that such relief from the literal implication of the Zoning Code:
  - (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
  - (b) Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 829-835  
MAIN STREET, MAIN STREET HISTORIC DISTRICT, DOWNTOWN DEVELOP-  
MENT DISTRICT**

Ms. Cowden summarized the staff report on a request for a COA and zoning variances for a projecting sign for the Lava Lounge at 829-835 Main Street. The building is a contributing resource within the Main Street Historic District and is also located in the Downtown Development (DD) District. Only the owner, Chris Ongkiko, attended the pre-hearing September 18, 2001. Mr. Mike Schwartz, a nearby property owner, requested information about the sign but did not indicate whether he supported or opposed it.

The proposed projecting sign is part of a larger ongoing renovation of 829-835 Main Street that has included cleaning, repointing and repainting the exterior brick walls and the installation of a new storefront. The storefront was not built as shown on the approved permit plans. Staff is working with the owner to address this issue.

Ms. Cowden said the shape of the sign is distinctive and appropriate for the Lava Lounge, and it will not obscure or require removal of any decorative elements. Installation of the sign at the second story level does not conform with the conservation guidelines and Ms. Cowden indicated that the sign also does not relate to the main entrance on the east elevation. However, the unusually short first story of the building precludes placing the sign at the storefront level. The presence of a

fire escape on the east elevation also precludes installing the sign above the club entrance. Ms. Cowden expressed concern about the size of the sign, indicating it was overly large for the building.

The proposed sign requires two DD variances, one for the size and another for the placement above the first story of the building. The first story of 829-835 Main Street ranges in height from approximately 10'-9" to 11'-6". In order to maintain the 10' clearance required by code, the owner opted to install the proposed Lava Lounge sign on the second story. Ms. Cowden indicated that granting the required variance to install the sign on the second story is in the interest of historic conservation by supporting the applicant's business and continued maintenance of the building. The sign also presents no material detriment to public health, safety, welfare or the subject property. In regard to the proposed dimensions, Ms. Cowden stated that the sign should be reduced in height to 3'-6". The reduction in height would allow the sign to meet the DD requirements without a variance and without adversely impacting its overall design and purpose.

Staff recommended approval of the COA and a zoning variance to install the sign on the second story, with numerous conditions on the work.

Mr. Ongkiko said the sign is a piece of metal art that has been adapted to use for the single Lava Lounge sign and that a smaller sign would be lost on the large building. He said he will provide the Board at its next meeting a picture of the sign and a to scale elevation drawing of the sign on the building.

#### **BOARD ACTION**

The Board voted unanimously (motion by Bloomfield second by Kreider) to table the motion by Borys seconded by Kreider to accept the staff recommendation.

#### **BY LEAVE ITEMS**

***Over-the-Rhine (North)***—Mr. Forwood reported that the Neighborhood and Public Works committee considered the Over-the-Rhine (North) Historic District at its September 18, 2001 meeting and took testimony. Chris Frutkin, president of the Over-the-Rhine Chamber of Commerce, testified against approval of the district. His objection was to both the guidelines and the fact that the proposal included no additional funding for development in Over-the-Rhine. The item was held over for consideration at the September 25, 2001 committee meeting.

Mr. Forwood said that he, Mr. Senhauser, Ms. Sullebarger, Mr. Kreider, Councilman Tarbell, Ken Jones, Marge Hammelrath and Kathy Schwab met on September 24 with Chris Frutkin and Walter Reinhaus at the OTR Chamber of Commerce offices to discuss concerns raised at the Neighborhood Committee hearing the previous week. The Over-the-Rhine Chamber of Commerce Board of Directors meets this afternoon to consider compromise solutions and to establish a position on the proposed district. If the historic district is approved by the Neighborhood and Public Works Committee, it will go to City Council Wednesday, September 26, 2001 at 1 PM.

*Interim Development District (IDC) for Mohawk*—The IDC for the Mohawk area of Over-the-Rhine has been placed on the City Council agenda for September 26, 2001 to be considered with the OTR (North) Historic District designation.

**ADJOURNMENT**

As there was no more business, the Board adjourned (motion by Bloomfield second by Borys).

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William L. Forwood  
Urban Conservator

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John C. Senhauser  
Chairman

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Date